

IN THE UNITED STATES
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Title: **NON-SQUAMOUS EPITHELIUM-SPECIFIC TRANSCRIPTION**

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S I R:

PRELIMINARY AMENDMENT

Please amend the above-identified patent application which is simultaneously filed herewith, as follows:

IN THE CLAIMS-

Please amend claims 3, 5-10, 12, 14-16 and 18 to read as follows:

A) 3. (amended) A nucleic acid according to claim 1 comprising a nucleic acid or functional fragment thereof as

A1
canceled

shown from about position -778 to about position -422 in figure 1 or a nucleic acid functionally equivalent thereto.

A2

5. (amended) A nucleic acid according to claim 1 further comprising a nucleic acid of interest.

6. (amended) A nucleic acid according to claim 1 further comprising an inducible or suppressible promoter or functional fragment thereof.

7. (amended) A nucleic acid according to claim 1 further comprising a suicide gene or functional fragment thereof.

8. (amended) A vector comprising a nucleic acid according to claim 1.

9. (amended) A gene delivery vehicle comprising a nucleic acid according to claim 1.

10. (amended) A host cell comprising a nucleic acid according to claim 1.

A3

12. (amended) Use of a nucleic acid according to claim 1.

A4

14. (amended) A medicament comprising a nucleic acid according to claim 1.

15. (amended) A method for the treatment of cancer comprising administering to a patient a nucleic acid according to claim 1.

A4
cond

16. (amended) A method for evaluating a possible treatment of disease comprising testing such treatment on a host cell according to claim 10.

AS

18. (amended) A method according to claim 16 wherein said disease comprises carcinogenesis.

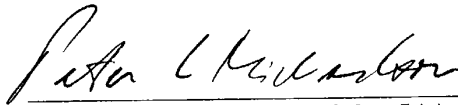
REMARKS

The foregoing amendment is made to eliminate multiple dependent claims.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached is captioned "Version With Markings to Show Changes Made".

Respectfully submitted,

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Peter L. MICHAELSON
Name of person making certification

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS-

Claims 3, 5-10, 12, 14-16 and 18 have been amended as follows:

3. (amended) A nucleic acid according to claim 1 ~~or 2~~ comprising a nucleic acid or functional fragment thereof as shown from about position -778 to about position -422 in figure 1 or a nucleic acid functionally equivalent thereto.

5. (amended) A nucleic acid according to ~~anyone of claims 1 to 4~~ claim 1 further comprising a nucleic acid of interest.

6. (amended) A nucleic acid according to ~~anyone of claims 1 to 5~~ claim 1 further comprising an inducible or suppressible promoter or functional fragment thereof.

7. (amended) A nucleic acid according to ~~anyone of claims 1 to 6~~ claim 1 further comprising a suicide gene or functional fragment thereof.

8. (amended) A vector comprising a nucleic acid according to ~~anyone of claims 1 to 7~~ claim 1.

9. (amended) A gene delivery vehicle comprising a nucleic acid according to ~~anyone of claims 1 to 7~~ claim 1.

10. (amended) A host cell comprising a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9~~claim 1.

12. (amended) Use of a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9 for the preparation of a medicament~~claim 1.

14. (amended) A medicament comprising a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9~~claim 1.

15. (amended) A method for the treatment of cancer comprising administering to a patient a nucleic acid according to ~~anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9~~claim 1.

16. (amended) A method for evaluating a possible treatment of disease comprising testing such treatment on a host cell according to ~~claim 10 or an animal according to claim 11~~.

18. (amended) A method according to ~~claim 16 or 17~~ wherein said disease comprises carcinogenesis.